

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

HONEYWELL INTERNATIONAL INC. and HONEYWELL INTELLECTUAL PROPERTIES INC.,)
v.)
Plaintiffs,)
C.A. No. 04-1338-KAJ)
Defendants.)

)

HONEYWELL INTERNATIONAL INC. and HONEYWELL INTELLECTUAL PROPERTIES INC.,)
v.)
Plaintiffs,) C.A. No. 04-1337-KAJ)
Defendants.)

)

OPTREX AMERICA, INC.,)
v.)
Plaintiff,) C.A. No. 04-1536-KAJ)
Defendants.)

)

HONEYWELL INTERNATIONAL INC.
and HONEYWELL INTELLECTUAL
PROPERTIES INC.

Defendants.

[PROPOSED] FIRST REVISED SCHEDULING ORDER

The Scheduling Order dated March 28, 2006 (D.I. 376) is hereby amended as follows:

9. Tutorial Describing the Technology and Matters in Issue.

On November ___, 2006, at ____ a.m./p.m. the parties shall appear live to provide the Court with a tutorial on the technology at issue. The tutorial should focus on the technology at issue and should not be used to argue the parties' claims construction contentions. No testimony, expert or lay, will be offered at the hearing. For the convenience of the Court, these live (in-Court) tutorials may be videotaped (or otherwise recorded) and submitted to the Court. The tutorial should be limited to no more than thirty (30) minutes per side. In addition to the live presentation, the parties may present a video tape of no more than 30 minutes at the hearing.

11. Claim Construction Issue Identification.

If the Court does not find that a limited earlier claim construction would be helpful in resolving the case, on October 6, 2006, each side shall exchange a list of those claim term(s)/phrase(s) that they believe need construction and their proposed claim construction of those term(s)/phrase(s). This document will not be filed with the Court. Subsequent to exchanging that list, the parties will meet and confer to prepare a Joint Claim Construction Chart to be submitted pursuant to paragraph 12 below. The parties' Joint Claim Construction Chart should identify for the court the term(s)/phrase(s) of the claim(s)-in-issue, and should include each party's proposed construction of the disputed claim language with citation(s) only to the intrinsic evidence in support of their respective proposed constructions. A copy of the patent-in-issue as well as those portions of the intrinsic record relied upon are to be submitted with this Joint Claim Construction Chart. In this joint submission, the parties shall not provide argument.

12. Claim Construction.

Issues of claim construction shall be submitted to the Court by way of the Joint Claim Construction Chart no later than November 10, 2006. Simultaneous opening briefs on issues of claim construction shall be served and filed by each side on December 8, 2006. Simultaneous reply briefs shall be served and filed by each side on January 12, 2007.

13. Hearing on Claim Construction.

Beginning at _____ a.m./p.m. on February ___, 2007, the Court will hear evidence and argument on claim construction.

Beginning at 9:30 a.m. on August 30, 2007, the Court will hear evidence and argument on summary judgment.

Except as revised hereby, the Scheduling Order dated March 28, 2006, shall remain in full force and effect.

SO ORDERED this _____ day of July, 2006.

United States District Judge